



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 99,424-T1)

In the Application of:

Zablocki et al.

Serial No.: 10/813,535

Filing Date: March 30, 2004

For: C-Pyrazole A2A Receptor Agonists

Examiner: P. Lewis

Group Art Unit: 1623

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**TRANSMITTAL LETTER**

In regard to the above identified application:

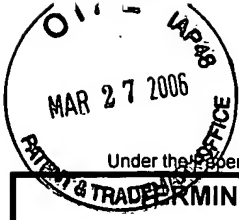
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By

  
A Blair Hughes

Reg. No. 32,901

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& BERGHOFF  
300 South Wacker Drive  
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**TERMINAL DISCLAIMER TO OBIATE A DOUBLE PATENTING  
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)  
99-424-T1

In re Application of: Zablocki et al.

Application No.: 10/813,535

03/28/2006 HSNKZ11 00000023 10813535

Filed: March 16, 2004

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For: C-Pyrazole A2A Receptor Agonists

The owner\*, CV Therapeutics, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,214,807 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 32,901

March 22, 2006

Signature

Date

A. Blair Hughes

Typed or printed name

312-913-2123

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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